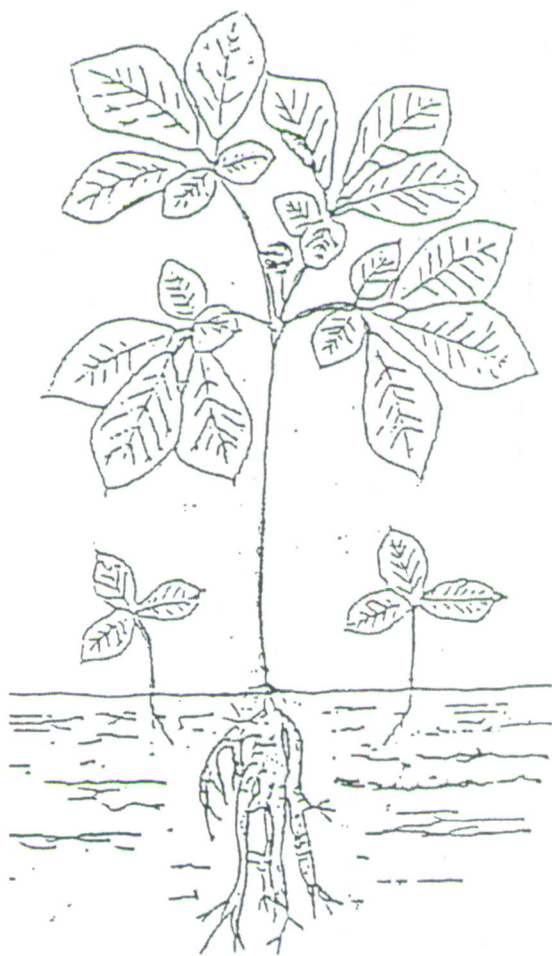


ILLINOIS GINSENG REGULATIONS



The Illinois Ginseng Conservation Law and Regulations

The Illinois Ginseng Conservation Act (Public Act 83-680) became law September 23, 1983, for the purpose of conserving wild American ginseng in Illinois. This law requires licensing and regulation of persons engaged in harvesting or digging wild ginseng or cultivating ginseng in Illinois. It also requires licensing and regulation of dealers involved in the purchase of **ginseng in or originating from Illinois.**

This Act is required by the U.S. Fish and Wildlife Service in order that ginseng originating in Illinois can be legally exported from the United States to the principal ginseng markets in the Orient. Ginseng is listed in the Convention on International Trade in Endangered Species of Wild Fauna and Flora, an international treaty entered into by the United States.

Enforcement of the treaty within the United States rests with the U.S. Fish and Wildlife Service. They require the individual states to regulate harvest and commerce in ginseng in a manner that will assure that the species does not become extinct.

Cultivated ginseng is included because of its similarity to wild ginseng.

Regulations Governing Illinois Ginseng Dealers

Dealer's License

A Ginseng dealers license is required for each individual at a given location who is engaged in the purchase of ginseng from growers or harvesters. "Individual," for the purpose of this Act, is defined as a person, partnership or corporation. Licenses are valid from April 1 of one year through March 31 of the following year. Dealers licenses are available to both residents and non-residents. The fee for a resident is \$50 per year and for

a non-resident \$100 per year. These licenses are available only through a mail order. You can obtain an application by phoning our Commercial License/Permit Office at 217/785-3423.

Definition of Wild and Cultivated Ginseng

“Wild ginseng,” as defined by law, is the root of the ginseng plant (*Panax quinquefolius*) which is growing in or has been collected from its native habitat. Therefore, plants that arise from seed planted in the wild or plants that have been transplanted into the native habitat are considered wild ginseng. “Cultivated ginseng,” means ginseng growing in tilled beds under shade of artificial structures or under natural shade.

Harvest and Buying Seasons

The season for harvesting wild ginseng in Illinois is from the first Saturday in September through November 1, annually. The season is the same statewide. Dealers may purchase wild ginseng only during the period from two weeks following the opening of the harvest season through the following March 1. Cultivated ginseng may be harvested by the grower and bought by the dealer at any time.

Records and Reports by Dealers

Dealers must keep a record of their purchases on forms provided by the Department of Natural Resources including:

1. Sellers name, address, and harvester or grower license number (license number can be deleted if a license is not required by state of origin);
2. County(s) and states(s) where the ginseng was harvested (when purchase is from two or more states or counties a separate entry must be made for each state and Illinois county);
3. Weight in pounds and ounces of purchased ginseng;
4. Whether ginseng was wet or dry;
5. Date ginseng was purchased;

6. Whether ginseng was certified as to origin by a previous dealer (if so, give the name of dealer and date certified);
7. Whether ginseng was wild or cultivated;

The purchase record must be made in duplicate and copy(s) mailed to the Department of Natural Resources on the last business day of each month in which purchases are made. The purchase record must be available to support origin of ginseng being certified for sale and shipment.

The Department is now asking for a year end report. By May 1 of the year following the harvest season you must submit this report. The report shall be completed on forms provided by the Department. The Department will be asking for number of pounds purchased, certified and sold. The Department will also ask where the ginseng was shipped.

Purchase with Knowledge

Illinois law states that no dealer may purchase wild ginseng if the dealer knows it was dug or gathered at some time other than the established harvest season. Dealers may not purchase ginseng from harvesters or growers if they know the seller does not have a valid license or has otherwise violated the Ginseng Conservation Act.

Certification

All ginseng purchased by licensed Illinois dealers must be certified as to kind (wild or cultivated), weight, and origin by a certification officer of the Department of Natural Resources, Office of Law Enforcement, before they can sell or ship it. Certification will only be accomplished within the borders of Illinois. Only licensed dealers and growers may have ginseng certified within Illinois. Certification will be done by appointment only on Mondays, at selected locations throughout the state (all dealers are mailed the locations with their license or they may call the Office of Law Enforcement at 217/782-6431 to receive a copy). The ginseng roots and their purchase records

must be examined by the officer prior to issuance of the certification papers. A copy of the Illinois Wild Ginseng Shipping Certificate must accompany shipments of Illinois ginseng for them to be legally exported from the United States. Procedures for certifying ginseng may vary from year to year. Licensed dealers will be notified of current procedures prior to the harvest season. Information on ginseng certification can be obtained by phoning the ginseng program manager at 217/782-6431. Certification of cultivated ginseng can occur at any time. Certifying of wild ginseng can only occur from the opening of the buying season until the following April 1. It is unlawful to have uncertified wild ginseng on hand from April 2 through the opening of the next buying season.

Regulations Governing Ginseng Growing

In Illinois Definition of Cultivated Ginseng

Illinois law defines cultivated ginseng as ginseng growing in tilled beds under shade of artificial structures or under natural shade. Ginseng seeded or transplanted into the woods but not tilled in beds is considered wild ginseng. Illinois law only regulates commerce in the roots of ginseng, not leaves or seeds.

Grower's License

Persons growing cultivated ginseng in Illinois must obtain a Ginseng Growers License which cost \$25 and is valid from April 1 of one year through March 31 of the following year. Licenses are available only through a mail order. You may obtain an application by phoning our Commercial License/Permit Office at 217/785-3423.

Harvest

Cultivated ginseng can be harvested and marketed at any time by a licensed grower.

Selling and Certification of Harvested Roots

Cultivated ginseng can only be sold to licensed Illinois ginseng dealers. Dealers licenses are available to both residents and non-residents of Illinois upon application to the Department of Natural Resources. All ginseng originating in Illinois must be certified as to origin, quantity and type by a certifying officer of the Illinois Department of Natural Resources, Office of Law Enforcement. This certification must be done within the boundaries of the state. A grower can have his crop certified before sale or the licensed buyer can certify it after the purchase. If a grower is selling to an out-of-state dealer, it would be to the dealer's advantage to have the ginseng certified by the grower. Certification will only be accomplished within the borders of Illinois and requires the inspection and weighing of the ginseng by the officer and the inspection of the grower's harvest records. The procedure for certifying ginseng may vary from year to year. Licensed dealers and growers will be notified of current procedures prior to the harvest season. Information on ginseng certification can be obtained by phoning the ginseng program manager at 217/782-6431.

Selling and Buying Live Plants

Regulations permit the purchase of one and two year old live roots for cultivation purposes without a dealer's license. Growers who sell live one and two year old ginseng roots for cultivation purposes do not have to have these roots certified.

Records and Reports of Growers

Ginseng growers must keep a written record of the location and size of their cultivated ginseng stands on forms provided by the

Department of Natural Resources. Such records shall contain:

1. The area of stands in acres or square feet if a fraction of an acre;
2. Whether stand is growing under natural (trees) or artificial shade;
3. Legal location of a stand to the quarter section (40 acre tract).

The above information must be reported to the Department of Natural Resources by April 1 of each year or upon becoming licensed and planting a crop. Ginseng growers must keep a written record of the harvest and sale of cultivated ginseng on forms provided by the Department of Natural Resources containing:

- a) legal location of the stand(s) to the quarter section from which cultivated ginseng on hand was harvested;
- b) date of harvest;
- c) weight of the harvested root, indicating wet or dry;
- d) date of sale and to whom sold.

The written harvest records for cultivated ginseng must be available for examination by officers of the Department of Natural Resources during normal hours, and an annual report of harvest must be submitted to the Department of Natural Resources upon sale of the season's crop or April 1 of the following year, whichever comes first.

Wild Ginseng Harvest Regulations

Definition of Wild Ginseng

"Wild ginseng" as defined by law is the root of the ginseng plant (*Panax quinquefolius*) which is growing in or has been collected from its native habitat. Therefore, plants that have been transplanted into their native habitat are considered wild ginseng. "Cultivated ginseng," means ginseng growing in tilled beds under shade of artificial structures or under natural shade.

License

Any person engaged in digging or harvesting wild ginseng in Illinois must have in their possession an Illinois ginseng harvesters license. This license must be in their possession when selling ginseng. Harvesters licenses cost \$7.50 and may be purchased from some vendors of hunting and fishing licenses. If no vender in your area has them, you can obtain an application by phoning our Commercial License/Permit Office at 217/785-3423.

Harvest Season

The season for harvesting wild ginseng in Illinois is from the first Saturday in September through November 1, annually. The season is the same statewide.

Selling Ginseng

Wild Illinois ginseng can be sold only to licensed Illinois ginseng dealers. Illinois dealers licenses are not limited to Illinois residents, and some dealers in adjoining states are licensed to buy Illinois ginseng. Wild ginseng can be sold only during the period from two weeks after the opening of the harvest season through the following March 1. Possession of wild ginseng during the period of March 2nd until opening of the next harvest season is a violation of the law. The harvester of wild ginseng must provide the dealer with his or her name, address, harvester license number and the name of the county in which the ginseng was dug.

Ginseng harvested in other states can be sold to Illinois dealers provided it is certified by the state of origin as having been legally harvested in that state.

Theft of Ginseng

The digging and taking of ginseng from the property of another without permission of the landowner is a violation of the law.

Penalties

License suspensions are now covered by the points system as outlined in Ad Rule 2530. (Under the points system, if an individual receives a citation and is found guilty he/she receives points against his/her license. Once a certain number of points have been accumulated the dealer will have his/her license suspended. The length of the suspension depends on the number of points that are accumulated.) For additional information on the points system you can contact our office at 217/782-6431 or visit our website at <http://dnr.state.il.us>.

For further information contact the Illinois Department of Natural Resources, Office of Law Enforcement, One Natural Resources Way, Springfield, Illinois, 62702-1271, Telephone 217/782-6431.



Equal opportunity to participate in programs of the Illinois Department of Natural Resources (IDNR) and those funded by the U.S. Fish and Wildlife Service and other agencies available to all individuals regardless of race, sex, national origin, disability, age, religion or other non-merit factors. If you believe you have been discriminated against, contact the funding source's civil rights office and/or the Equal Employment Opportunity Officer, IDNR, One Natural Resources Way, Springfield, IL., 62702-1271; 217/785-0067; TTY 217/782-9175.

This information may be provided in an alternative format if required. Contact the DNR Clearinghouse at 217/782-7498 for assistance.

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Illinois
Department of
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